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SUMMARY RECORD OF THE 17th MEETING

Chairman: Mr. ZARIF (Islamic Republic of Iran)

later: Mr. TOMKA (Czechoslovakia)
(Vice-Chairman)

CONTENTS

AGENDA ITEM 133: REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION (continued)

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The meeting was called to order at 3.10 p.m.

AGENDA ITEM 133: REPORT OF THE SPECIAL COMMITTEE ON THE CHARTER OF THE UNITED NATIONS AND ON THE STRENGTHENING OF THE ROLE OF THE ORGANIZATION (continued) (A/47/33, A/47/60-S/23329, A/47/67, A/47/516)

1. Mr. NITTI (Italy) said that the 1992 session of the Special Committee had confirmed the viability of that body and the importance of its work. The Special Committee had continued to devote major attention to the questions of the maintenance of international peace and security and the peaceful settlement of disputes. Both were crucial areas of inter-State relations in which the need for the adaptation of United Nations legal instruments was becoming increasingly clear. The Secretary-General's report "An agenda for peace" was focused on the entire range of activities aimed at maintaining international peace and security and settling conflicts through the peaceful means provided by Chapter VI of the Charter. The Secretary-General's report on the work of the Organization (A/47/1) attached similar importance to those activities while underscoring the extraordinary historical phase through which the United Nations was passing and the influence which current decisions and actions could have on future developments.

2. Turning to the working paper A/AC.182/L.72 entitled "Draft declaration on the improvement of cooperation between the United Nations and regional organizations" (A/47/33, para. 39), he said that his delegation took great interest in the problems of regional integration and the growing responsibility for collective security which regional organizations were tending to assume. In that context, he noted the ongoing process of institutional consolidation within the Conference on Security and Cooperation in Europe (CSCE); as a result of that process, CSCE had formally acquired the status of a regional arrangement within the meaning of Chapter VIII of the Charter. The relationship between the United Nations and regional organizations should be examined more thoroughly so as to avoid the fragmentation of efforts which could occur in the absence of coordinating mechanisms; in that connection, he drew attention to paragraphs 114 and 115 of document A/47/1.

3. The discussion in the Special Committee of the draft entitled "United Nations rules for the conciliation of disputes between States" (A/45/742) (A/47/33, para. 132) had revealed widespread agreement on its usefulness as a starting-point for a more thorough debate, notwithstanding certain perplexing choices made in the draft. His country was in favour of expanding the role of conciliation as one of the mechanisms for the peaceful settlement of disputes and believed that some points of special interest could be derived from the paragraphs dealing with conciliation in the Handbook on the Peaceful Settlement of Disputes adopted by the Special Committee. In particular, possibilities for broader recourse to compulsory conciliation should be explored. The discussions which had recently opened at Geneva within the framework of CSCE on the question of compulsory, voluntary and "directed" conciliation would make it possible to focus the debate at the next session of the Special Committee on the experiences of a large group of States.

(Mr. Nitti, Italy)

4. His delegation noted with satisfaction that a wide-ranging exchange of views had taken place in the Special Committee on the most appropriate ways of strengthening the role of the Organization as the fiftieth anniversary of the Charter approached. In that context, he drew attention to the proposals contained in working paper A/AC.182/L.65 and Corr. 1, entitled "New issues for consideration in the Special Committee" (A/47/33, paras. 95 to 108). His Government believed that the time had come to deal with the central issues relating to the adaptation of the Organization's structures and mechanisms, including the question of the composition of the Security Council. While such questions could be considered by other bodies as well, the Special Committee remained an important forum.

5. Mr. KALPAGE (Sri Lanka) said that a number of the questions raised in the Special Committee required careful consideration, as they were directly relevant to the fundamental principles on which the Charter was based, in particular, the principles of the sovereign equality of all Member States (Article 2, paragraph 1) and non-intervention in their internal affairs (Article 2, paragraph 7).

6. Document A/45/742 (A/47/33, para. 132) was a commendable initiative. Flexibility and informality were the distinguishing characteristics of conciliation; it was those features which made conciliation attractive to the parties to a dispute and differentiated it from arbitration and judicial procedure. Accordingly, any rules for conciliation must be limited to what was absolutely required so as not to impair those essential characteristics.

7. Turning to working paper A/AC.182/L.73 on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions under Chapter VII (A/47/33, para. 109), he said that the effects of such preventive or enforcement measures could, if not promptly and adequately alleviated, be enormously damaging to the economies of third States. That was clear from Article 50 of the Charter and from the steps taken to address the situation of third States affected by the measures adopted under Security Council resolution 661 (1990). Despite goodwill on the part of all, however, those steps had so far been neither prompt nor effective. More than a purely legal perspective was required; there should be speedy and full consideration, by appropriate experts, of what permanent or ad hoc arrangements could be put in place to prevent or compensate for losses incurred by third parties.

8. The question which then arose was whether the Special Committee was the appropriate forum for the consideration of such arrangements, in view of the brevity of its sessions, its already overburdened agenda, its practice of proceeding by consensus and the infeasibility for many delegations of participating effectively in the Special Committee's work because of limited resources. It could be argued that the Special Committee should limit itself to the required research and analytical legal studies, to be completed as soon as possible in collaboration with the Office of Legal Affairs. His delegation

(Mr. Kalpage, Sri Lanka)

would be grateful if the Special Committee could report on what the applicable expressed and implied legal obligations appeared to be and, if they were inadequate, on what the quasi-legal or extralegal obligations might be. On the basis of that information, the Sixth Committee could then recommend that prompt and adequate funding be put in place immediately following the imposition of sanctions so as to ensure that such measures did not throw the economies of small and fragile third States into disarray.

9. Other issues dealt with in the Special Committee's report (A/47/33) - including the proposals for a formal revision of the Charter, the relationship between the United Nations and regional organizations in the area of the maintenance of international peace and security and the proposal by the Secretary-General that he should be authorized to seek advisory opinions from the International Court of Justice - went beyond the Special Committee's terms of reference. His delegation also emphasized that when the Special Committee began its consideration of any question, it should not prejudge what final form its conclusions might take.

10. Miss OBAFEMI (Nigeria) said that the end of the cold war and the momentous changes taking place in the international situation offered an unprecedented opportunity to develop means for the maintenance of international peace and security and the peaceful settlement of disputes. Positive changes were also taking place in the United Nations; the General Assembly had grown from 51 to 179 members in nearly half a century. Nevertheless, the Security Council had only been enlarged from an initial 9 members to 15, and its permanent membership had remained at 5. Her delegation believed that, based on the principle of shared responsibility, full partnership and democracy, the Security Council should expand its permanent membership so as to represent all regions of the world.

11. Her delegation considered that the Special Committee was an appropriate forum for the discussion of ways to achieve peace in the post-cold-war era. The question of the relationship between the Security Council and the General Assembly should be addressed in a timely manner. While the Security Council had the primary responsibility for the maintenance of international peace and security, the Charter also assigned a complementary role to the General Assembly in that field. A judicious balance should be maintained between the two organs.

12. Her delegation viewed working paper A/AC.182/L.72 (A/47/33, para. 39) as a good basis for future work. A credible role for regional organizations in the maintenance of international peace and security would alleviate the burden placed on the United Nations as a result of the increasing demands made on it by Member States and would strengthen its effectiveness. The revised working paper to be submitted to the Special Committee at its next session should emphasize practical modalities for improving cooperation between the United Nations and regional organizations. Furthermore, the document did not address the questions of poverty and indebtedness, nor did it take into account the

(Miss Obafemi, Nigeria)

need for economic and social cooperation between the United Nations and regional organizations, especially since some regional organizations would be prevented by inadequate resources from fulfilling the role envisaged for them. The issue of assistance to regional organizations so as to enable them to become effective partners of the United Nations should be thoroughly examined.

13. Nigeria shared the view that working paper A/AC.182/L.73 (A/47/33, para. 109), of which it was a sponsor, was timely and required immediate attention. The establishment of a compensation fund would complement Security Council decisions and would promote the implementation of Chapter VII of the Charter, while reducing the risk of resistance to the application of sanctions by third States which were economically affected by them.

14. Working paper A/AC.182/1992/CRP.2, entitled "Strengthening of the role of the United Nations in the maintenance of international peace and security" (A/47/33, para. 123) also provided a good basis for future work by the Special Committee. The democratization and reform of the Organization should be carried out in a balanced manner, with full respect for its neutrality in resolving conflicts.

15. Document A/45/742 (A/47/33, para. 132) was a valuable initiative. Her delegation looked forward to the submission of a revised draft taking into account the observations made.

16. Mr. HALLAK (Syrian Arab Republic) said that in the post-cold-war era, the peoples of the world had great hopes of the United Nations. They anticipated an end to the paralysis that had afflicted it and the inception of a new era of international peace and security characterized by justice, equality, respect for the sovereignty of States and the effective implementation of collective security provisions. The United Nations now had the opportunity to play a vital role in the maintenance of international peace and security and the settlement of disputes and to direct its attention to the establishment of preventive diplomacy and early-warning structures, the improvement of means of preventing aggression and efforts to strike a new balance among the various organs of the Organization and particularly between the Security Council and the General Assembly.

17. His delegation commended the proposal that would authorize the Secretary-General to seek advisory opinions from the International Court of Justice under Article 96 of the Charter in order to enable him to meet his responsibilities with regard to questions of international law arising within the scope of his activities, particularly in respect of disputes in which he had been requested to exercise his good offices with the agreement of the parties involved. The draft declaration on the improvement of cooperation between the United Nations and regional organizations was a timely initiative and would give the Special Committee a sound basis for considering ways and means of reviving Chapter VIII of the Charter.

(Mr. Hallak, Syrian Arab Republic)

18. Although the Syrian Arab Republic, having suffered from the implementation of the sanctions imposed under Security Council resolution 661 (1990), had submitted a request for assistance under Article 50 of the Charter and although both the Security Council Committee established by resolution 661 (1990) and the Secretary-General had appealed to States and to the organs and specialized agencies of the United Nations system to provide immediate economic assistance to the countries affected, the response had not been commensurate with the needs. It was therefore essential to establish a mechanism to ensure an appropriate response to requests for assistance under Article 50. Such a mechanism would encourage compliance with Chapter VII of the Charter by reducing the possibility of adversely affected third States objecting to the application of sanctions. The Collective Measures Committee established by the General Assembly under its resolution 377 A (V) of 3 November 1950 had stated in its report that assistance provided to third States strengthened cooperation in the application of sanctions. Article 49 of the Charter required the sharing of costs incurred by the application of economic sanctions, and the item should continue to be considered with a view to eliciting precise proposals for the alleviation of economic damage caused to third countries. The establishment of a fund to assist such countries to which mandatory contributions would be made by all unaffected countries would be a practical implementation of Article 49 of the Charter.

19. The proposal of Guatemala entitled "United Nations rules for the conciliation of disputes between States" (A/45/742) (A/47/33, para. 132) was a valuable initiative that would promote the establishment of mechanisms for preventive diplomacy but required more discussion and greater elaboration. It was to be hoped that the delegation of Guatemala would submit a revised draft to the Special Committee at its next session. Working paper A/AC.182/1992/CRP.2 on the strengthening of the role of the United Nations in the maintenance of international peace and security (A/47/33, para. 123) also contained useful ideas and proposals.

20. The reinvigoration of the work of the Special Committee had become imperative owing to the circumstances prevailing following the end of the cold war and particularly since the Secretary-General had presented in his report entitled "An agenda for peace" ideas that touched on the core of the Special Committee's work.

21. Mr. STRAUSS (Canada) said it was clear that universal agreement existed on the need to strengthen the United Nations, either through a formal revision of the Charter or through new instruments and organizational improvements. However, no amendment of the Charter would, by itself, guarantee the long-term survival of the United Nations; that could only be ensured if the United Nations was perceived by the international community as capable of maintaining international peace and security in a radically changed world.

(Mr. Strauss, Canada)

22. In 1992, two events had helped to illuminate the way ahead for the Special Committee: the Summit Meeting of the Security Council in January, and the issuance of the Secretary-General's document "An agenda for peace", which identified four areas for action aimed at securing peace. The Special Committee had already undertaken commendable work in two of those areas. With regard to preventive diplomacy, it had produced the Declaration on the Prevention and Removal of Disputes and Situations Which May Threaten International Peace and Security and of the Role of the United Nations in this Field; and the Declaration on Fact-finding by the United Nations in the Field of the Maintenance of International Peace and Security. The draft declaration on the improvement of cooperation between the United Nations and regional organizations (A/47/33, para. 39) was in the same vein; it was essential to enhance coordination and the division of labour between the United Nations and regional organizations so as to maximize the use of available expertise and the efficient use of existing resources. A future task of the Special Committee might be to identify the most appropriate arrangements to those ends, while vesting in the United Nations the ultimate coordinating responsibility.

23. In the area of peacemaking, the Special Committee's Handbook on the Peaceful Settlement of Disputes between States would help States in preventing disputes from deteriorating into armed conflicts. Canada also supported the elaboration of rules for the conciliation of disputes between States; and it applauded the pragmatism of that approach aimed at assisting the United Nations peacemaking function in a tangible manner.

24. The United Nations was embarking on the challenging task of maintaining peace and security in the turbulent and largely unpredictable world of the post-cold-war era. The Special Committee, within its mandate, must help to equip the United Nations with the most appropriate tools for that purpose. It should give consideration to two broad areas: enhancing the capacity of the United Nations system to give early warning of situations posing a potential threat to international peace and security; and exploring the implications for the United Nations collective security system of an expanding concept of international peace and security. In that connection, further linkages should be developed between the working paper on new issues for consideration in the Special Committee and the themes outlined in "An agenda for peace".

25. Amid the general euphoria accompanying the reinstatement of the United Nations in the legitimate role envisaged by its founders, a note of caution should be sounded: renewal of the United Nations would not succeed unless financial support matched the demands being made on the Organization by the international community. A necessary first step was for all Member States to pay their dues fully and on time, in accordance with their obligations under the Charter. In the end, money was the clearest measure of the commitment of Member States to the principle of collective security.

26. Mr. FOWLER (New Zealand) said the Special Committee could play an important role in revitalizing United Nations procedures and mechanisms, an exercise in which all Member States, whether large or small, should play a part. The Secretary-General had made some important recommendations in that regard in his report entitled "An agenda for peace", particularly with regard to regional organizations. In that connection, a further timely initiative had been taken by the Russian Federation in the working paper it had submitted on the improvement of cooperation between the United Nations and regional organizations (A/AC.182/L.72) (A/47/33, para. 39).

27. His delegation welcomed the special attention accorded by the Secretary-General to the role of the International Court of Justice. It fully endorsed the view expressed at an earlier meeting by the representative of Pakistan that the rule of law in international affairs would be promoted by greater recourse to the Court. Since the Court's inception, New Zealand had supported the view that its jurisdiction should be compulsory, and had made substantial contributions to its funding.

28. His delegation also supported the Secretary-General's proposal that he should be authorized to seek advisory opinions from the Court. Such authority would significantly enhance the Secretary-General's role in the peaceful settlement of disputes, and his delegation hoped that at its next session the Special Committee would give the proposal the serious and sympathetic consideration it clearly merited, with a view to arriving at a consensus recommendation to the General Assembly.

29. The Special Committee's discussion of the draft rules on the conciliation of disputes between States submitted by Guatemala had served to highlight a number of useful points which, it was to be assumed, the delegation of Guatemala would take into account in presenting a revised version of the rules to the Special Committee's next session. Many delegations seemed to share the view that some of the rules were too detailed; States were more likely to have recourse to rules that were drafted with appropriate flexibility.

30. Working paper A/AC.182/L.73 on the implementation of the provisions of the Charter related to assistance to third States affected by the application of sanctions (A/47/33, para. 109) raised a number of interesting issues. Although it would be difficult to arrive at a generally applicable solution, further consideration of that issue, taking into account the past experience of the Organization with regard to sanctions, was merited.

31. The greater willingness evident on the part of States to consent to fact-finding missions reflected enhanced confidence in and commitment to the Organization. Recent practice had served to confirm that fact-finding missions could play an important role, not only in clarifying facts relevant to a particular dispute or situation, but also in preventing an escalation of tensions.

32. Mr. HAMADA (Japan) said his delegation greatly appreciated the adoption by the General Assembly, on the recommendation of the Sixth Committee, of the Declaration on the Prevention and Removal of Disputes and Situations Which May Threaten International Peace and Security and on the Role of the United Nations in This Field and the Declaration on Fact-finding by the United Nations in the Field of the Maintenance of International Peace and Security. The Secretary-General's report entitled "An agenda for peace" was also a valuable contribution to the work of the United Nations, as was the publication of the Handbook on the Peaceful Settlement of Disputes.

33. In order to strengthen the Organization's role in preventive diplomacy, that the functions and capabilities of the Secretariat in monitoring and analysing relevant information must be greatly reinforced. In that context, he recalled that the Minister for Foreign Affairs of Japan had proposed the establishment of a conflict information clearing-house as a means of achieving that objective, a proposal which had met with a positive response from a number of delegations. It was also important to give serious consideration to restructuring the Organization, including the question of the functions and composition of the Security Council.

34. His delegation appreciated the timeliness and valuable information provided in working paper A/AC.182/L.72 on cooperation between the United Nations and regional organizations (A/47/33, para. 39), and hoped that the revised working paper resulting from the thorough consideration of the issue at the most recent session of the Special Committee would be carefully reviewed.

35. With regard to the economic problems arising from the implementation of preventive or enforcement measures under Article 50 of the Charter, his delegation was fully aware of the problems experienced by third countries when sanctions were imposed under Chapter VII of the Charter, but believed it extremely important both to examine carefully the definition of an "affected country" and to consider concrete measures by which those countries might be relieved. The question whether the United Nations had the authority to take such measures should also be studied. In addition, it might be necessary to investigate the possibility of utilizing various relief organizations in order to alleviate the difficulties of the affected countries.

36. In his report entitled "An agenda for peace", the Secretary-General had proposed that he should be empowered to seek advisory opinions from the International Court of Justice. While it was undeniably desirable to strengthen the function of the Court, the proposal should be examined carefully in order to establish whether the overall functions and capabilities of the United Nations as a whole would in fact thereby be reinforced.

37. Turning to the Guatemalan proposals concerning United Nations rules for the conciliation of disputes between States, his delegation hoped that a revised draft, based on the consideration of the proposals at the most recent session, would be submitted by the delegation of Guatemala for careful study by the Special Committee at its next session.

38. Mr. MOLNAR (Hungary) said the profound changes that had occurred on the international scene had had a reinvigorating effect on United Nations activities. Hungary fully supported the view that the United Nations should be adapted to the new political, economic and social realities so as to ensure that it would respond successfully to the challenges of the new era of international relations. At the same time, since the Organization had withstood the test of time, a delicate balance needed to be found between reforms aimed at increasing its efficiency and the continuation of those established structures which had proved their usefulness. Reform must be a gradual process, accomplished through a combination of new instruments and administrative restructuring, that would not jeopardize the system when it was just starting to work appropriately.

39. Regional organizations were an integral part of the collective security system embodied in the Charter. His delegation shared the view that working paper A/AC.182/L.72 on the improvement of cooperation between the United Nations and regional organizations (A/47/33, para. 39) should be brought into line with Chapter VIII of the Charter and that more emphasis should be placed on the practical modalities of cooperation. It supported the broad interpretation of the concept of the maintenance of international peace and security, since there were various non-military threats. It noted with satisfaction that the Security Council had made it clear that respect for human rights, including the rights of minorities, was an integral part of international peace and security and could not be considered an internal affair.

40. On the question of assistance to third States affected by the application of sanctions under Chapter VII of the Charter, his delegation believed that since, under Article 25 of the Charter, all States had an unconditional obligation to comply with Security Council decisions, there should be a more effective solution to the economic problems they faced as a consequence of their compliance. The Special Committee needed to determine whether a universally applicable arrangement could be drawn up, or whether the problems would have to be considered on a case-by-case basis.

41. With regard to the peaceful settlement of disputes, Hungary had consistently advocated the strengthening of that cardinal principle of international law. His delegation was pleased by the positive changes which had occurred in that field and especially by the increased willingness of States to take advantage of the various third-party dispute-settlement mechanisms. It supported the efforts of the international community to enhance the effectiveness of the International Court of Justice as the principal judicial organ of the United Nations in that field. In September 1992, the Hungarian Parliament had adopted a decision recognizing the compulsory jurisdiction of the Court. His delegation concurred with the recommendations concerning a stronger role for the Court in the Secretary-General's report "An agenda for peace". The suggestion that the Secretary-General should be empowered to seek advisory opinions from the Court had complex implications which required further consideration in the Special

(Mr. Molnar, Hungary)

Committee. As to the draft United Nations rules for the conciliation of disputes between States, a revised, more general version could lead to the elaboration of a set of flexible model rules which would facilitate and encourage resort to conciliation.

42. Mr. FAZEI (Bahrain) said the Charter of the United Nations had been adopted following the Second World War in order to save succeeding generations from the scourge of war, reaffirm faith in fundamental human rights and maintain international peace and security. The cold war had subsequently weakened the role of the United Nations in matters relating to international peace and security but, with its end, there were indications that a new era of relations between States based on cooperation and mutual understanding was beginning. The international climate was now appropriate for the United Nations to perform more fully the functions entrusted to it, particularly in the maintenance of international peace and security.

43. The Summit Meeting of the Security Council of 31 January 1992 had given fresh impetus to hopes for a world in which security, stability and peace prevailed and had stimulated the endeavour to find ways of enhancing the effectiveness of the United Nations, within the framework of the Charter, in preventive diplomacy, peacemaking and peace-keeping, and the subsequent report of the Secretary-General entitled "An agenda for peace" constituted a guide to how that could be done. The major tasks of the Organization were to devise a mechanism for the achievement of international peace and security that was in keeping with recent international developments, to establish arrangements for cooperation between the United Nations and regional organizations for that purpose while respecting the sovereignty and territorial integrity of States and to expand the role of the Organization in addressing economic and humanitarian problems.

44. Working paper A/AC.182/L.72 entitled "Draft declaration on the improvement of cooperation between the United Nations and regional organizations" (A/47/33, para. 39) had aroused great interest and was worthy of esteem. In his report on the work of the Organization, the Secretary-General had referred to the crucial role that could be played by regional organizations if their activities were undertaken in a manner consistent with the principles of Chapter VII of the Charter (A/47/1, para. 114). The current ethnic conflicts, territorial claims and boundary disputes in many regions made it all the more important to devise a mechanism for cooperation between the United Nations and regional organizations in the maintenance of international peace and security.

45. Mr. MOTSYK (Ukraine) said that with the end of the cold war and the emergence of a large number of new independent States, the United Nations had a real possibility of finally acquiring the role originally intended for it. It had been apparent in the Special Committee that there was general agreement as to the basic aspects of the role the United Nations should play in the modern world. The same theme was echoed in the report "An agenda for peace";

(Mr. Motsyk, Ukraine)

that report was an important step towards strengthening the United Nations, and it contained ideas that should lie at the basis of the Special Committee's future work.

46. Regional organizations, which were an integral part of the collective security system envisaged in the Charter, must play a greater role in maintaining international peace and security, particularly, in the area of preventive diplomacy. That question was particularly topical at a time when violent conflicts were raging in many regions, including Europe. The activities of the United Nations and regional organizations in the settlement of such conflicts complement each other. Since regional organizations were well placed to understand the nature of conflicts, it was extremely important for them to participate in conflict prevention and resolution. In that connection his delegation supported the view that CSCE should become an effective instrument in preventing conflict throughout Europe. The Helsinki document adopted in 1992 had confirmed that CSCE was a regional agreement in accordance with Chapter VIII of the Charter and that it provided an important link between European and global security.

47. His delegation attached importance to paragraphs 18 and 19 of the draft declaration in working paper A/AC.182/L.72 (A/47/33, para. 39) and, in connection with paragraph 20, endorsed the comment that requests for guarantees could derive not only from regional organizations but also from States. It would be of great significance if regional organizations were to take coordinated steps with a view to strengthening guarantees of human rights and the rights of national minorities.

48. On the question of assistance to third States affected by the application of sanctions, he noted that in recent years a number of States, including Ukraine, had experienced adverse economic consequences from the application of sanctions under Security Council resolutions his delegation believed that the time had come to give concrete substance to Article 50 of the Charter. It supported the view that generally acceptable procedures should be worked out for consultations between third States and the Security Council. The experience of the United Nations Compensation Commission (UNCC) was useful in that respect. His delegation welcomed the recommendations made in that context in paragraph 41 of the report "An agenda for peace". Consideration of the issue should continue in the Sixth Committee and, most importantly, in the Security Council. A solution of the problem would help to enhance the effectiveness of sanctions and consequently increase the pressure exerted on States to end illegal actions. His delegation supported the suggestion that the Special Committee should be provided with analytical information on current United Nations experiences and practices in the area of sanctions, in particular information from the three sanctions committees.

49. His delegation supported the draft rules for the conciliation of disputes between States, which should exclude military and strongarm tactics from international relations. In that context it supported the Secretary-General's suggestions in paragraph 37 of "An agenda for peace".

(Mr. Motsyk, Ukraine)

50. The Special Committee should consider the working paper entitled "New issues for consideration in the Special Committee" at its next session and select issues for future examination.

51. The Charter had withstood the test of time; often, in the most difficult and explosive periods, it had been a last resort, and the authority of its provisions had made it possible to resolve crises. However, the world had changed and the United Nations had changed; a careful study must be made of the question of bringing some provisions of the Charter in line with the new realities. His delegation once again reiterated the need to exclude from the Charter the anachronistic references to "enemy States".

52. It was quite clear that the question of expanding the Security Council needed to be considered. With the end of the cold war, the Security Council had become an effective instrument for maintaining peace and security. An expansion of its membership would further develop that positive trend and make it possible to use the potential of more States in formulating and adopting decisions on carrying out the important tasks facing it. The time had come to adapt the entire structure of the United Nations to the new realities in the world.

53. Mr. RAYA (Philippines) said that his delegation welcomed the proposals contained in the Secretary-General's report entitled "An agenda for peace" and those in working paper A/AC.182/L.72 concerning the improvement of cooperation between the United Nations and regional organizations (A/47/33, para. 39). The importance of the latter in the maintenance of international peace and security had recently been underscored by the tragic events in the former Yugoslavia and in Africa. That role had received insufficient attention during the cold war. His delegation remained open-minded as to the form which the results of its work on the function of regional organizations might take.

54. In connection with the question of the burden imposed on developing countries by the implementation of sanctions under Chapter VII of the Charter, he recalled that working paper A/AC.182/L.73, of which his country was a sponsor, had been discussed in a preliminary fashion at the Special Committee's most recent session. He regarded as constructive the suggestion of Czechoslovakia that the Special Committee should be provided with information concerning previous experience with regard to the functioning of existing sanctions committees established under Security Council resolutions.

55. His delegation supported the Secretary-General's appeal in his report entitled "An agenda for peace" for the strengthening of the role of the International Court of Justice. However, his delegation has aware of the serious doubts entertained by some delegations, including those of France and the United Kingdom, regarding the proposal to grant authority to the Secretary-General to request advisory opinions from the Court. Such an authority would undoubtedly enable the Secretary-General to act more effectively, but his delegation would welcome further discussion of the issue.

(Mr. Raya, Philippines)

56. In conclusion, his delegation drew attention to the statement made by his country's Secretary of Foreign Affairs to the General Assembly on 6 October, in which he had said that the Philippines considered the time had come for the United Nations to avail itself of the provisions of Article 109 regarding the convening of a general conference to review the Charter.

57. Mr. PANTIRU (Republic of Moldova) said his delegation fully shared the view expressed in the Secretary-General's report "An agenda for peace" that democracy within the family of nations meant the application of its principles within the world Organization itself, requiring the fullest consultation, participation and engagement of all States, large and small, in the work of the Organization (A/47/277-S/24111, para. 82). In that context, it welcomed the working paper submitted by the Russian Federation entitled "Draft declaration on the improvement of cooperation between the United Nations and regional organizations".

58. As a full member of the Conference on Security and Cooperation in Europe, his country wished to contribute constructively to the maintenance of stability and security in Europe and to the consolidation of world peace. The emergence of newly independent States in Europe should not affect the progress achieved so far, through the efforts of all States, in establishing military stability on the continent and should not create situations which could endanger the security of States.

59. In paragraph 20 of the draft declaration, further clarification was needed as to the meaning of the term "assistance". More precise language should also be used in dealing with measures to build confidence and promote openness. His delegation hoped that the revised draft would place more emphasis on practical means of improving cooperation between the United Nations and regional organizations in the field of the maintenance of international peace and security.

60. For his country, the subject of peace, security and the peaceful settlement of disputes was a highly topical one which dramatically affected the daily lives of the Moldovan people. His delegation was therefore grateful to the Secretary-General for the presentation in his report on the work of the Organization (A/47/1, para. 124) of the conflict in that country and of the efforts undertaken for its settlement. The situation in the area of conflict continued to be tense despite the recent signing by the Presidents of the Republic of Moldova and the Russian Federation of an agreement on the principles for the peaceful resolution of the conflict. Under that agreement, negotiations had begun between the two Governments aimed at setting a date for the withdrawal of the 14th Russian Army from Moldovan territory, but the Russian Federation was delaying both the negotiations and the withdrawal of its military forces.

61. It was against that background and in the face of the grave violations of human rights in the eastern districts of the Republic of Moldova that his Government had requested the Secretary-General to consider the possibility,

(Mr. Pantiru, Republic of Moldova)

with the consent of the Russian Federation, for participation by United Nations observers in the aforementioned negotiations. His country had also requested that a team of United Nations experts should be assigned for a longer period of time to investigate and monitor the observance of human rights in the Dniester region. It had great expectations for the peaceful settlement of the conflict by the democratic forces in the Russian Federation, which could demonstrate that that country was really willing to become a democratic nation. United Nations support would also be useful in ensuring political cooperation and real political will on the part of all those who could contribute to the peaceful settlement of the conflict. While his delegation subscribed to the Secretary-General's view that each conflict was unique and required a specific response, each conflict also required a comprehensive approach that took into account the wide range of substantive issues and called for a coordinated and multidimensional international effort.

62. With regard to working paper A/AC.182/L.73 on assistance to third States affected by the application of sanctions (A/47/33, para. 109), his delegation shared the view that in the current conditions of economic interdependence, the implementation of comprehensive economic sanctions could place an extremely heavy burden on third State economies. States confronted with such burdens had invoked Article 50 of the Charter but unfortunately, the appeals launched by the Secretary-General had not evoked responses commensurate with the urgent needs of the affected countries. His delegation therefore supported the Secretary-General's recommendation contained in his report "An agenda for peace" that the Security Council should devise a set of measures involving the financial institutions and other components of the United Nations system that could be put in place to insulate States from such difficulties (A/47/277-S/24111, para. 41). Such measures could include the establishment of a standing compensation fund to be administered by the Security Council and would be a means of encouraging States to cooperate with decisions of the Council in the field of international peace and security.

63. His delegation welcomed the publication of the Handbook on the Peaceful Settlement of Disputes between States, which would be a useful reference instrument for new Members of the Organization and was a concrete contribution to the United Nations Decade of International Law. He also welcomed the draft United Nations rules for the conciliation of disputes between States submitted by Guatemala and hoped that the initiative would lead to the strengthening of the principle of the peaceful settlement of disputes in accordance with the Charter. The revised draft should reflect the observations and suggestions made during its first reading.

64. Mr. CHEN Jian (China) expressed satisfaction with working paper A/AC.182/L.72 entitled "Draft declaration on the improvement of cooperation between the United Nations and regional organizations" (A/47/33, para. 39). Regional organizations were an integral part of the United Nations system of collective security and played an important role in the maintenance of international peace and security. While the end of the cold war had

(Mr. Chen Jian, China)

considerably improved the foundation for maintaining world peace and promoting international cooperation, the world was also witnessing a rapid increase in the destabilizing factors that endangered peace. In those new historical circumstances, regional organizations could contribute significantly to peace-keeping and to the prevention and resolution of regional conflicts.

65. The principles set forth in the Charter provided a framework for discussion of the role of regional organizations in the maintenance of international peace and security. The working paper clearly defined the relationship between the activities of regional organizations and the relevant provisions of the Charter. It also established guiding principles for the activities of regional organizations and defined the status and role of those organizations in the United Nations collective security system. His delegation supported such elements in the draft declaration, which were consistent with the relevant provisions of the Charter and essential to improving cooperation with regional organizations and giving them a full role in the maintenance of world peace and security.

66. The peace-keeping role of regional organizations was, however, a very complicated and sensitive issue which had political and legal implications. It involved the division of responsibilities between United Nations agencies and regional organizations as well as cooperation and coordination between the two groups. The subject, moreover, touched upon State sovereignty. In his delegation's view, the preamble to the draft declaration and paragraph 20 contained provisions which were inappropriate since, firstly, the protection of human rights by a State fell essentially within the jurisdiction of that State and was not related to international peace and security. The question of the rights of national minorities was a particularly complex and sensitive one since it involved the history, culture and sentiments of different nationalities. Regional organizations should not become involved in the resolution of such questions without the explicit approval of the States concerned. Secondly, the applicability of the criteria laid down in the declaration needed further discussion. It was not clear, for example, what was meant by "massive and systematic infringements" of human rights in the seventh preambular paragraph. Unclear criteria could lead to subjective judgements and could easily be abused, thereby endangering the maintenance of world peace and security. The concept of "openness" (para. 20) also fell within the sphere of domestic politics and should not be included in an international legal document.

67. The wording of paragraph 8 was also unsatisfactory and needed further study. In the field of peace-keeping operations, the United Nations had established a set of systems, including fact-finding missions, military observers, peace-keeping forces, separating the forces of the antagonists, and monitoring compliance with cease-fire agreements. It was therefore not necessary to set up a new system within the framework of regional organizations since such duplication would squander regional resources. Moreover, the functions and terms of reference of many regional organizations

(Mr. Chen Jian, China)

were narrow in scope and limited, for example, to economic or military cooperation. Such organizations were not entitled to launch peace-keeping operations. The provisions of paragraph 8 therefore exceeded the competence which member States had delegated to regional organizations. Furthermore, matters related to peace-keeping operations launched by regional organizations should be decided by the member States of those organizations. The declaration should provide only principles. Finally, the phrase "at their request" in paragraph 8 was ambiguous, since it could refer to the country where unrest had taken place, to a neighbouring country, or indeed to any other country that considered itself involved in the matter. In practice that phrase could easily lead to abuse and to interference in the domestic affairs of States.

68. With regard to paragraphs 10 and 11, disarmament and the non-proliferation of nuclear weapons were issues of a global nature, which were being dealt with in the proper United Nations forums and were therefore extraneous to the question of cooperation between the United Nations and regional organizations. The declaration should therefore contain no provisions on them.

69. With regard to the draft United Nations rules for the conciliation of disputes between States, submitted by Guatemala, all countries attached importance to the challenging task of maintaining world peace through preventive diplomacy. The principle of peaceful settlement of disputes not only reflected the common requirement of the international community but had also become a basic norm governing relations between States. In that connection, the draft rules provided a good basis for the discussions in the Sixth Committee on how to launch preventive diplomacy and ways and means of peaceful settlement of disputes. Given that some regions of the world had not yet drafted such rules, a set of model conciliation rules based on the draft would be of great value to countries in choosing their methods of settling disputes peacefully. The text of the draft was generally acceptable, although some specific provisions required further discussion and improvement.

70. As for working paper A/AC.182/L.73 on assistance to third States affected by the application of sanctions under Chapter VII of the Charter (A/47/33, para. 109), assistance to such countries complemented the sanctions regime and strengthened cooperation among States. Such assistance was also in conformity with Articles 49 and 50 of the Charter. While supporting the position of the sponsors of the working paper, his delegation noted, nevertheless, that the issue touched on the responsibilities of the Security Council and that the Council had taken some concrete action in that regard. Moreover, arrangements in that area also depended on cooperation between the relevant United Nations bodies and the specialized agencies. Consideration of the item should therefore be coordinated with those bodies and agencies in order to formulate a feasible plan based on a comprehensive and in-depth study.

71. His delegation had noted with interest the Secretary-General's report "An agenda for peace", which contained many important recommendations and

(Mr. Chen Jian, China)

suggestions that called for thorough consideration. His delegation supported the idea that the General Assembly, the Security Council and other relevant organs should carry out in-depth studies of the report and was itself prepared to take an active part in that process in order to strengthen the role of the United Nations and thereby fulfil the purposes set forth in the Charter.

72. Ms. LUNGAMENI (Namibia) said that working paper A/AC.182/L.72 entitled "Draft declaration on the improvement of cooperation between the United Nations and regional organizations" as a starting-point for the enhancement of collective efforts aimed at the maintenance of international peace and security. Her delegation agreed that it would be appropriate to invite regional organizations to participate as observers in the work of the Special Committee on that topic.

73. The end of the cold war had brought with it dramatic changes marked by a trend away from military confrontation and towards the settlement of disputes by peaceful means. There had also been a significant movement towards democratic reforms, market-oriented economies, respect for human rights and protection of the environment. Current international economic trends, however, showed a widening gap between the industrialized world and the developing countries, which was reflected in a pattern of restrictive economic relations. In addition, threats to world peace around the globe had not been fully removed. The United Nations should therefore redouble its efforts to ensure that the hope for a peaceful and prosperous world was realized. In that connection, her delegation supported the view that the United Nations system should be restructured and democratized in order to enable it to deal more efficiently with the challenges of the day. Such changes should not be confined to the Secretariat but should also extend to all of its principal organs, including the Security Council.

74. Namibia's commitment to the maintenance of international peace and security was embodied in Article 96 of its Constitution, which provided, inter alia, that in its international relations Namibia should adopt and maintain a policy of non-alignment, promote international peace and security, create and maintain just and mutually beneficial relations among nations, foster respect for international law and treaty obligations, and encourage the settlement of international disputes by peaceful means. In that spirit, the Government had started negotiations with the Government of South Africa on the reintegration of Walvis Bay and the off-shore islands into the rest of Namibia. A joint transitional administration, headed by a Namibian and a South African chief executive, would be established over the territories in question on 1 November 1992.

75. In furtherance of the same objectives, Namibia had become a member of the International Atomic Energy Agency and the Zone of Peace and Cooperation of the South Atlantic. In September 1992 Namibia had also acceded to the Treaty on the Non-Proliferation of Nuclear Weapons, the 1961 Vienna Convention on Diplomatic Relations, and the 1963 Vienna Convention on Consular Relations.

(Ms. Lungameni, Namibia)

76. Her delegation endorsed the Secretary-General's proposal, referred to in paragraph 11 of working paper A/AC.182/L.73/Rev.1 that Article 50 of the Charter should be supplemented with appropriate agreements creating obligations to assist third States affected by the implementation of sanctions imposed upon a State in breach of its obligations under the Charter.

77. Mr. HASSANOV (Azerbaijan) said that on joining the United Nations in March 1992 his country had assumed the obligation to abide strictly by the Charter in its foreign policy. The work of the Special Committee had taken on new significance as a result of the changes which had occurred in the world in the past few years. The end of the cold war and the reordering of relations between different States and regions raised the question of making changes both in the Charter and in the work of the United Nations. The solid experience acquired by the Organization in resolving armed conflicts and reducing tension in the world indicated that the United Nations should further continue its work along the same course. However, Chapter VII of the Charter did not give a clear definition of "acts of aggression", and the General Assembly's definition of aggression in resolution 3314 (XXIX) had sometimes proved inadequate to categorize the actions of certain States. Every State Member must base its policy on the fundamental principles of the United Nations: mutual respect for State sovereignty, territorial integrity and non-interference in internal affairs. It was disregard for those principles that led to the emergence of conflicts between countries.

78. Chapter VIII of the Charter had acquired new significance as a result of the changed political situation in the world. Timely action by the United Nations had had a beneficial effect on the peaceful settlement of disputes, but, the Organization should not always become directly involved in every dispute or conflict: in many cases, that role could be successfully played by regional organizations. The United Nations could provide support and assistance to such organizations in their attempts to help the parties to a conflict resolve their problems by peaceful means. His country was a member of a number of regional organizations, one of which, CSCE, was currently playing a key role in resolving the Armenian-Azerbaijani conflict.

79. His delegation endorsed the fourth and fifth preambular paragraphs of the draft declaration on the improvement of cooperation between the United Nations and regional organizations (A/AC.182/L.72) (A/47/33, para. 39). It believed that regional organizations should be extensively involved in the peaceful and just settlement of inter-State disputes and conflicts in various regions of the world. It also supported the Secretary-General's request to regional organizations to consider further confidence-building measures at the regional level and to inform the United Nations of the results (A/47/277-S/24111, para. 24). A compilation of the replies received could form the basis for a document which would play an important role in the prevention and peaceful settlement of disputes. The development of constructive cooperation between the United Nations and regional organizations would lead to predictability and stability, since no country would unleash a conflict or lay claim to a foreign

(Mr. Hassanov, Azerbaijan)

territory either directly or through the support of separatist movements if it was aware in advance of the consequences of such actions at the regional and international levels.

80. His delegation attached great importance to the draft United Nations rules for the conciliation of disputes between States since it was particularly interested in developing machinery for the settlement of all types of disputes at the negotiating table, rather than through military action.

81. Mr. Tomka (Czechoslovakia), Vice-Chairman, took the Chair.

82. Mr. ALKHAZMI (Libyan Arab Jamahiriya) said that while his delegation commended the Special Committee's work, it hoped that theoretical discussion would give way to the consideration of workable measures. Tangible results from the Special Committee would make it possible to overcome the shortcomings of United Nations organs, particularly those concerned with the maintenance of international peace and security, and would contribute to the realization of the aspirations of the international community and the creation of a world where the principles of mutual understanding and coexistence prevailed and there was peace between peoples and States.

83. During the cold war era, collective responsibility had been based on the delicate balance maintained by the strength at the disposal of the two major Powers, whose desires had precluded political effectiveness and stifled initiatives that might have solved many of the world's problems. The best indication of the situation that had prevailed was the frequency with which the two sides had made use of the veto in the Security Council against resolutions viewed as appropriate by one party and as incompatible with its interests by the other. The Council had thus lost the power to take effective measures against breaches of international peace and security, to the detriment of its prestige. The one-sided interests of the permanent members of the Council had prevailed over the interests of the international community, prompting a number of Member States to call for its reform. Many proposals had been made by the Organization of African Unity, the Movement of Non-Aligned Countries and the Organization of the Islamic Conference calling for the revision of the Charter, including its provision for the power of veto.

84. In its desire to strengthen the role of the United Nations in the maintenance of international peace and security, and believing that it was the collective responsibility of Member States to achieve that goal in accordance with the principle of sovereign equality laid down in Article 2 of the Charter, at the thirty-fourth session of the General Assembly his country had warned of the shortcomings in the maintenance of international peace and security created by the power of veto. There was a mounting awareness on the part of many Member States that a system of collective security subject to veto could not be relied on for the maintenance of international peace and

(Mr. Alkhazmi, Libyan Arab Jamahiriya)

security, a view that had been expressed by certain members of the Security Council themselves during the Security Council Summit held in January 1992. The arguments advanced in the past by certain States, particularly those that had been accorded the veto under the Charter and defended it as ensuring a balance between different political and economic systems that prevented any State or group of States from dominating the Organization, currently had no justification owing to the radical changes that had taken place.

85. Although the Security Council had recently begun to adopt new methods in its work, as reflected in the restraint exercised by its permanent members in the use of the veto and in the adoption of resolutions for the most part by consensus, it was nevertheless necessary to enhance the effectiveness of the Organization in order to ensure its success in confronting the challenges of a new era of international cooperation. That could only be achieved by establishing a broad democratic basis to prevent dominance of the Council by the great Powers, by strengthening the role of the General Assembly in the maintenance of international peace and security and by achieving a balance between the Assembly and the Council. The existing composition of the Council reflected the situation prevailing at the time of the cold war rather than current reality. The number of members should be increased and the scope for participation in the Council's decision-making processes expanded. Otherwise, the Council could not in future take any measures in any conflict directly involving one of its permanent members and would continue to pursue a selective approach in its work despite the end of confrontation between East and West.

86. His delegation had presented a proposal to the Special Committee at its 1991 session aimed at enhancing the effectiveness of the Security Council in regard to the maintenance of international peace and security (A/46/33, para. 14). It had not been discussed by the Special Committee at its 1992 session and, in view of the fundamental changes that had taken place in the international political climate, a revised proposal reflecting those changes would be submitted to the Special Committee at its next session.

87. Mr. BAKER (Israel) said that, in connection with the issue of authorizing the Secretary-General to seek advisory opinions from the International Court of Justice, the question that concerned his delegation was whether the Secretary-General per se could be regarded as one of the "other organs of the United Nations" referred to in Article 96, paragraph 2, of the Charter and as defined in Article 7. In the statement made by the Legal Counsel to the Special Committee at its 164th plenary meeting, as reproduced in paragraph 31 of the Special Committee's report (A/47/33), the possibility had been discussed of the Secretary-General requesting advisory opinions "in a quiet and discreet manner and without having to involve States not parties to the dispute". Some thought might be given to the relevance to that possibility to the provisions of the Statute of the International Court of Justice, formulated principally in Article 66, which required that notice of a request for an advisory opinion be given to all States entitled to appear before the

(Mr. Baker, Israel)

Court and which permitted States and organizations to comments on statements made before the Court in the context of the exercise of its advisory competence. The question arose whether such requirements might not impair the use of discretion and secrecy by the Secretary-General in carrying out his functions.

88. His delegation noted that, in introducing working paper A/AC.182/L.72 on the improvement of cooperation between the United Nations and regional organizations, its sponsor had stressed that the activities of the regional organizations should conform to the purposes and principles of the Charter. In the Special Committee, questions had been raised of terminology and of legal relationships between regional organizations and the United Nations. The working paper referred to "regional arrangements or agencies" and "regional organs" as well as to "regional organizations". Since Chapter VIII of the Charter referred only to "regional arrangements or agencies", it would appear necessary to define more clearly the concept of regional organizations, their relationship to the provisions of Chapter VIII of the Charter and their relationship with the United Nations.

89. Before determining viable regional procedures for dealing with crises through regional organizations, the Special Committee might wish to consider such questions as universality and equality within regional organizations, given that those principles were basic components of the United Nations Charter and would have to be more or less applicable with respect to the regional organizations concerned. The United Nations was a universal intergovernmental organization, and an equal opportunity must be given to all Members to participate fully in its activities. Regional organizations that could potentially function in cooperation with the United Nations pursuant to the principle enunciated in Article 52 of the Charter, according to which their activities should be "consistent with the Purposes and Principles of the United Nations", must also seek to involve all the States in the geographical region in question. Regional activities directed towards the settlement of local disputes, the establishment of regional security mechanisms or the establishment of information networks could only be pursued when all the countries of a region were regarded as fully accepted and equal parties to them. His delegation trusted that the element of universality and equality within regional organizations would be considered in revised versions of the working paper and in their consideration by the Special Committee with a view to placing the elements of the working paper within the framework envisaged in Chapter VIII of the Charter.

90. At the forty-fifth session of the General Assembly, his delegation had emphasized that conciliation differed from arbitration and judicial settlement in a variety of ways, including the non-binding character of the recommendations of the conciliation panel and the flexible nature of the conciliation process. It was the latter aspect that was of primary importance and led States to seek conciliation for the settlement of disputes. Unless otherwise constrained by prior agreements, the parties to a dispute were free

(Mr. Baker, Israel)

to create their own procedural methods in implementing the conciliation process, adapting them to the specific case at issue. To the extent that flexibility was weakened, the likelihood of conciliation being chosen was greatly diminished. In that connection, his delegation wondered how flexibility would be affected if a model set of conciliation rules, such as those proposed by Guatemala, should be adopted. To be effective, model rules should incorporate the idea of flexibility, thereby providing a set of norms which States could use in whole or in part and to which they could add other provisions as the circumstances required. It was clear that in its proposal, Guatemala had been aware of the need to safeguard the element of flexibility. At the same time, the current text could be made more forceful in that regard so that States would not feel constricted in choosing the option of conciliation.

91. The principles of the sovereign equality of States and the universality of the United Nations had not yet been fully implemented within the United Nations system as a whole. Israel, which had been confined to membership of a regional group composed of a single State, had repeatedly deplored the imbalance in the organs of the General Assembly and other bodies of the United Nations system. Elections were inevitably a function of political considerations, and regional groupings were clearly identified. In the context of giving reality to the Secretary-General's observations in his report, "An agenda for peace", regarding "democracy within the family of the United Nations" and the need for "the fullest consultation, participation and engagement of all States, large and small, in the work of the Organization" (A/47/277-S/24111, para. 82), it would perhaps be advisable for the Special Committee to consider giving substance to the principles of the sovereign equality of States and the universality of the United Nations by examining alternative systems of representation in organs and bodies which would better ensure the realization of those principles.

92. Miss KETE (Côte d'Ivoire) said that the statement issued at the conclusion of the Summit Meeting of the Security Council of 31 January 1992 had urged States to address the non-military sources of instability in the economic, social, humanitarian and ecological fields. Whatever the means used, the strengthening of the United Nations must also address those issues.

93. Working paper A/AC.182/L.72, entitled "Draft declaration on the improvement of cooperation between the United Nations and regional organizations" (A/47/33, para. 39), was of particular importance. Reflecting Article 52, paragraph 2, of the Charter, paragraph 4 of the working paper would require States to make every effort to effect a peaceful settlement of local disputes with the help of regional organizations before referring such disputes to the Security Council. While paragraph 21 stated that regional organizations should deal with the political, economic and humanitarian aspects of security and the development of broad international cooperation, her delegation was of the view that emphasis should be placed on cooperation between the United Nations and regional organizations in such matters rather

(Miss Kete, Côte d'Ivoire)

than on their allocation to regional organizations alone. It therefore approved of the approach reflected in the Secretary-General's report, "An agenda for peace", that not only should situations of potential conflict be identified at the earliest possible stage and the danger averted by diplomatic means but also that the deepest causes of conflict, namely economic despair, social injustice and political repression, should be eliminated (A/47/277-S/24111, para. 15).

94. The Organization of African Unity was playing a significant role in resolving the conflict in Somalia, as was the Economic Community of West African States in Liberia. At its twenty-eighth session, the Assembly of Heads of States and Government of OAU had endorsed the principle of establishing a mechanism for the prevention, management and settlement of disputes in Africa.

95. Paragraph 2 of the working paper A/AC.182/L.73 on assistance to third States affected by the application of sanctions under Chapter VII of the Charter stated that such assistance would promote the application of sanctions by reducing the risk that seriously affected third countries might withhold their cooperation. Her delegation supported that idea and also welcomed the Secretary-General's recommendation that the Security Council should devise a set of measures involving the financial institutions and other components of the United Nations system to insulate States from such difficulties (A/47/277-S/24111, para. 41).

96. With regard to the draft rules for the conciliation of disputes between States submitted by Guatemala, her delegation recalled that the Manila Declarations of 1982 and 1988 also concerned the peaceful settlement of disputes. It would thus be wise to take account of those texts and to appeal to the political will of States to honour them and give them practical effect.

The meeting rose at 6.30 p.m.